



# KERALA GAZETTE

## കേരള ഗസറ്റ്

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### PART IV

## Private Advertisements and Miscellaneous Notifications

#### OFFICE OF THE COMMISSIONER OF CUSTOMS

CUSTOM HOUSE: COCHIN-682 009

#### NOTIFICATION

[No. 3/2013]

No. S25/328/2009 I & B Cus. 22nd February 2013.

*Sub:* CFS- M/s. Cochin International Container Freight Station, a unit of Kerala State Industrial Enterprises Ltd. (KSIE), a Government of Kerala Undertaking, Old Anavathil Junction, Container Road, Eloor, Ernakulam District, Kerala, Pin-683 501-Appointing as Customs Cargo Services Provider and Custodian—Reg.

In exercise of powers conferred under section 141 of the Customs Act 1962 (52 of 1962) I. Dr. K. N. Raghavan, Commissioner of Customs, Cochin, hereby appoint M/s. Cochin International container Freight Station, a unit of Kerala State Industrial Enterprises Ltd. (KSIE), a Government of Kerala Undertaking, Old Anavathil Junction, Container Road, Eloor, Ernakulam District, Kerala Pin-683 501 to be the Customs Cargo Services Provider

including a custodian as referred to in section 45 of the Act and they are responsible for receipt, storage, delivery despatch or otherwise handling of imported goods and export goods received in containers and otherwise at the Cochin International Container Freight Station, a unit of Kerala State Industrial Enterprises Ltd. (KSIE), a Government of Kerala Undertaking, Old Anavathil Junction, Container Road, Eloor, Ernakulam District, Kerala Pin-683 501 in accordance with the provisions of chapter VIII of the Act *ibid*.

M/s. Cochin International Container Freight Station, a unit of Kerala State Industrial Enterprises Ltd. (KSIE) a Government of Kerala Undertaking, Old Anavathil Junction, Container Road, Eloor, Ernakulam District, Kerala, Pin-683 501 as the custodian of goods meant for Export and Import would be required to comply with the provisions of the Handling of Cargo in Customs Areas Regulations, 2009 as mentioned hereunder as well as other rules, regulations and instructions issued from time to time on this subject.

1. The Customs Cargo Service provider shall:

- (a) keep a record of imported goods, goods brought for export or transshipment, as the case may be, and produces the same to the proper officer as and when required;
- (b) keep a record of each activity or action taken in relation to the movement or handling of imported or export goods and goods brought for transshipment;
- (c) display or make available in any other manner, information of process or movement or handling of imported or export goods and goods brought for transshipment;
- (d) demarcate separate areas for unloading of imported goods for their storage with respect to the category of importers, nature of goods, place of destination, mode of Transportation or any other criterion as the Commissioner of Customs may specify having regard to the custody and handling of imported goods in a customs area;
- (e) demarcate separate areas for loading of export goods for their storage with respect to categories of exporters, nature of goods, examined and sealed containers or other criterion as the Commissioner of Customs may specify having regard to the custody and handling of export goods in a customs area;
- (f) not permit goods to be removed from the customs area, or otherwise dealt with, except under and in accordance with the permission in writing of the proper officer;
- (g) not permit any export cargo to enter the customs area without a shipping bill or a bill of export having been filed with the proper officer;
- (h) not permit any import cargo to enter the customs area or be unloaded therein without the import report or the import manifest having been filed with the proper officer;
- (i) be responsible for the safety and security of imported and export goods under its custody;
- (j) be liable to pay duty on goods pilfered or lost after entry thereof in the customs area;
- (k) be responsible for the secure transit of the goods from the said customs area to any other customs area at the same or any other customs station in accordance with the permission granted by the proper officer;
- (l) subject to any other law for the time being in force, shall not charge any rent or demurrage on the goods seized or detained or confiscated by the proper officer;
- (m) not sell (under the provisions of section 48 of the Customs Act, 1962) the imported goods, which are not cleared for home consumption or warehoused or transshipped within 30 days of unloading thereof or within such further time period as the proper officer may allow; or the imported goods, to which the importer relinquishes his title as provided in Section 23 (2) of the Customs Act, 1962, without obtaining permission from the proper officer of Customs;
- (n) not make any alteration in the entry or exit points or boundary wall without the permission of the Commissioner of Customs;
- (o) shall bear the cost of the customs officers posted by the commissioner of customs on cost recovery basis and shall make payments at such rates and in the manner specified by the Government of India in the Ministry of Finance unless specifically exempted by an order of the said Ministry;
- (p) shall observe the Central Government holidays as followed by the Jurisdictional Customs formations and in case of any variation in the working days, intimate the same to Commissioner of Customs and the trade, at least seven days in advance, and;
- (q) abide by all the provisions of the Act and the rules, regulations, notifications and orders issued hereunder;
- (r) shall not permit import of sensitive items and baggage items;
- (s) provide sufficient modern handling equipment in operational condition for handling the cargo in the notified area;
- (t) insure for an amount equal to the average value of the goods likely to be stored in the customs area based on projected capacity;
- (u) be responsible for the security of the customs area subject to the prior approval from the Commissioner of Customs. The cost of security has to be borne by the custodian;
- (v) provide free furnished and air-conditioned office space for the Customs Department at places of clearance;
- (w) provide free and suitable transport facility for the customs staff from the nearest railway

head quarters or suitable point;

(2) Duration of the appointment shall initially remain for 5 years from the date of issue of this Notification and subject to the satisfaction of the Commissioner of Customs. Commissioner of Customs shall have the right to terminate the appointment at any time after assigning specific reasons and giving an opportunity for the custodian to explain his case. The appointment shall be reviewed after 5 years thereafter.

(3) The Customs Cargo Service provider approved for custody of imported or export Goods and for handling of such goods shall not lease, gift, sell or sublet or in any other manner transfer any of the premises in a customs

area; or sub contract or outsource functions permitted or required to be carried out by him in terms of these regulations to any other person, without the written permission of the Commissioner of Customs.

(4) The Customs Cargo Service provider shall also required undertaking site preparation including civil works, electrical works, electrical fittings, air conditioning etc. They would also provide D. G. Set for power backup and link to the EDI Server. The networking, Communication equipments, uninterrupted power supply system, computers/personal computers, thin clients servers, printers and other computer peripherals as may be specified by the Directorate General of systems/ Commissioner of Customs.

(5) The Customs Cargo Service provider shall publish and display the schedule of charges for the various services provided by him in relation to the imported goods or export goods in the customs area.

DR. K. N. RAGHAVAN,

*Commissioner.*

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